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limitations are, can only be ascertained by the gradual process of judicial inclusion and exclusion as the cases presented for decision require, with the reasoning upon which such decisions may be found." (*sic*). He then proceeds to take up the leading cases as showing the outlines of that Protean subject which seems to be all kinds of a rule at the same time. After considering its general features he goes on to show how it is modified by the Federal Constitution in criminal cases (Chap. III); in respect to the Eleventh Amendment (Chap. IV); with regard to the Fourteenth Amendment (Chap. V); as to the public health and safety (Chap. VI); as to corporations (Chap. VII); as to the Commerce clause (Chap. VIII); and as to "property in business" (Chap. IX). In this last chapter our author sums up his general conclusions in eleven propositions, which seem to be as sound as generalities ever are. The first of these propositions states in a concise way the elementary learning on the subject.

"1. The possession and enjoyment of all rights are subject to such reasonable conditions as may be deemed by a legislature of a State essential to the safety, health, peace, good order, morals and convenience of the people of the State."

The remaining ten propositions are corollaries of the first one and tend to elucidate the general subject.

We note one or two small inaccuracies, *e. g.*, p. 4, "The development of our law began during the long period of the Roman occupation [of England], which left an *indelible impress* [on the law of that country]." This last statement must surely have been a slip of the pen.¹ Altogether, however, Mr. Russell's "Police Power" is a useful book for study preparatory to taking up the subject more exhaustively for one's self by an examination of the cases, which are, on this subject, more than any other in law, the best exponents of the law.

E. B. S., Jr.

WASHBURN'S MANUAL OF CRIMINAL LAW, third edition, with notes by MARSHALL D. EWELL, M. D., LL. D. Chicago: Callaghan & Co. 1900.

Students of law will welcome the appearance of this new edition of a popular book. The ever-growing tendency in the law toward bulky volumes entails many disadvantages for the beginner; and for a text-book a work that aims at simplicity and conciseness is certainly preferable to one aiming rather to be comprehensive and complete. This third edition of Washburn, while adding new references which bring the criminal law in the United States down to the present time, has not so multiplied the old notes as to increase unduly the size of the volume.

Not only is Washburn's "Criminal Law" concise, but it has the added merit of being eminently practical. Discussions of the theory and philosophy of the law have no place; the law is stated as a fact,

¹See Pollock and Maitland's "History of English Law," Introd. xxxi, and Sir Walter Besant's "London."

and without editorial comment. More than half of the book is given over to an account of criminal procedure, much in the manner of the latter half of the fourth book of Blackstone.

Although the object of the book is to set forth merely the common law of crimes, yet numerous references in the notes to state codes and statutes furnish information of changes in the common law made by acts of the state legislatures. By far the greater number of citations are, in the text, from the Massachusetts reports, and, in the editor's notes, from the Illinois reports. But criminal law does not admit of as many variations as does the purely private law, and consequently the principles of the law set forth in the book may safely be accepted, in a general way, in any jurisdiction. There are, it is true, some statements made that would not apply to Pennsylvania law, but these are of minor importance, and not sufficient to render the book either inaccurate or, for its purpose, incomplete.

To universities and schools of law which do not follow the case system, this book may safely be recommended for class-room use.

H. S.